

STAFF REPORT

April 26, 2001

No. 01UR012 - Use On Review to allow a communication tower in the General Commercial Zoning District **ITEM 7**

GENERAL INFORMATION:

PETITIONER	Tetragenics for Qwest Wireless LLC
REQUEST	No. 01UR012 - Use On Review to allow a communication tower in the General Commercial Zoning District
LEGAL DESCRIPTION	Lot 2, Block 2, Rapp Addition, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .65 Acres
LOCATION	640 Farnwood Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: **Staff recommends that the Use On Review to allow a communication tower in the General Commercial Zoning District be approved with the following stipulations:**

Building Inspection Division Recommendations:

1. A Building Permit shall be obtained prior to any construction;
2. Prior to issuance of a Building Permit, three sets of Architectural/Engineer stamped plans shall be provided for review and approval;
3. A Certificate of Completion shall be obtained prior to any use of the tower;

Urban Planning Division Recommendations:

4. The tower shall be designed to allow for the co-location of a minimum of two additional antennas (for a total of three antennae) except where the additional antennas would interfere or impact the applicant's proposed antenna(s);
5. The tower shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority;
6. The tower shall remain unpainted allowing the galvanized steel color to show or

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- the tower shall be painted white unless alternative colors are required by the Federal Aviation Administration or other federal or state authority;
7. No commercial advertising signage shall be allowed on the tower;
 8. Prior to City Council approval of the Use on Review, the petitioner shall submit a parking plan complying with all requirements of the Off-Street Parking Ordinance;
 9. Prior to issuance of a Certificate of Completion, the petitioner shall either complete the parking lot improvements or post financial surety in the amount necessary to cover the cost of the improvements and then complete the improvements within one paving season;
 10. The Use on Review shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council or if the use as approved has ceased for a period of two years; and,
 11. Prior to City Council approval, a parking and circulation easement shall be recorded with the Pennington County Register of Deeds.

GENERAL COMMENTS: The applicant is seeking Use on Review approval to locate a cellular tower on the subject property. Quality Transmission, Inc. currently operates a vehicle repair business on the property. Qwest is interested in leasing a 15 foot by 15 foot area of the subject property from Quality Transmissions, Inc. to erect a monopole communications tower. The applicant has indicated that this location was selected to enable them to provide cellular service to the northeast Rapid City area. The subject property is zoned General Commercial. Cellular communication towers require Use on Review approval in the General Commercial Zoning District.

STAFF REVIEW: Staff has reviewed this proposal and notes the following major issues:

Off-Street Parking: The existing 3,200 square foot structure was constructed in 1940 and currently has no paved parking. The property was annexed by the City of Rapid City on September 12, 1986 and is considered a legal nonconforming property because no paved parking has been provided. The City's Off-Street Parking Ordinance is triggered whenever a building or structure is erected. The construction of the new tower requires that two paved parking stalls, one being handicapped accessible, and paved circulation be provided for this new use. The addition of the tower represents only a 6.5 percent expansion of the structures on this property. The ordinance states that buildings or structures with parking facilities must conform to the provisions of the parking ordinance when an existing building or structure is enlarged by twenty percent or more with respect to square feet of gross floor area. Therefore this expansion will not trigger compliance of the parking ordinance for the existing structure. Staff has requested that the applicant submit a revised site plan identifying the location of two paved parking stalls and paved circulation to the paved parking area. **The applicant has submitted a revised site plan identifying the location of the two paved parking stalls and showing paved circulation to the stalls. However, the site plan does require further revisions with regard to circulation and aisle width. Staff is recommending that a revised site plan be reviewed and approved prior to City Council approval of this Use on Review.**

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Aesthetic Issues: A major issue associated with new transmission towers is the visual impact the structures will have on the surrounding area and the City in general. Staff is making three recommendations that they believe will help to minimize the adverse impacts caused by this tower. First, Staff is recommending that the tower either be left unpainted or painted white. Based on past experience with other towers, Staff has found that these two color choices are the least noticed by the general public. Second, Staff is recommending that no lighting of the tower be allowed. Exceptions to the color and lighting limitations will be allowed if the Federal Aviation Administration or another federal or state authority requires something different. Thirdly, Staff is recommending that no commercial advertising be allowed on the tower.

Co-location: In order to reduce visual clutter and increase the efficiency of transmission towers, the City in recent years has consistently required that new towers be constructed with the ability to co-locate other future antennae. Staff has discussed this matter with Qwest representatives who have indicated that this tower will be constructed to accommodate additional antennae.

The required Use on Review sign has been posted on the property. The applicant has not returned the receipts from the certified mailing. Staff will notify the Planning Commission in the event these receipts are not received prior to the April 5, 2000 Planning Commission meeting. Staff has not received any telephone inquiries regarding this request.